

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
2:21-CV-34-JG

LILLIE BROWN CLARK, Administrator for)
the Estate of Andrew Brown, Jr.,)

Plaintiff,)

v.)

DANIEL MEADS, Investigator, in his)
individual capacity, et al.,)

Defendants.)

ORDER

This order memorializes and expands upon as appropriate directives issued without objection during the teleconference of counsel on 16 June 2022 (D.E. 105) relating to the remaining proceedings in this case needed to conclude the settlement reached by the parties.

It is ORDERED as follows:

1. Plaintiff and plaintiff's counsel shall sign the settlement agreement in this case and serve it on attorney Christopher Geiss, acting as counsel for all defendants, by email and overnight mail as soon as practicable, but in no event later than 23 June 2022. Attorney Geiss shall sign the settlement agreement and email a copy of the fully signed settlement agreement to Deputy Clerk Bobbie Horton within two days after receipt of the original settlement agreement via overnight mail from plaintiff's counsel.

2. Plaintiff shall file no later than 24 June 2022 a motion for appointment of one or more guardians ad litem for the minors to whom settlement funds are expected to be distributed, a concise supporting memorandum, such additional supporting material as plaintiff's counsel deems appropriate, and a proposed order allowing the motion. If plaintiff proposes in the motion

that one guardian be appointed for all the minors at issue, as anticipated, the memorandum shall address the propriety of one guardian ad litem serving as such for more than one minor.

3. Plaintiff shall file no later than 1 July 2022 her motion for approval of attorneys' fees, a concise supporting memorandum, such additional supporting material as plaintiff's counsel deems appropriate, and a proposed order allowing the motion.

4. Plaintiff shall file no later than 1 July 2022 her motion for approval of the parties' settlement with respect to the minors to whom settlement funds are expected to be distributed, a concise supporting memorandum, such additional supporting material as plaintiff's counsel deems appropriate, and a proposed order allowing the motion.

5. The proposed order for approval of attorney's fees and/or the proposed order for approval of the settlement with respect to the minors at issue shall specify the period (not to exceed three days) after the court enters orders disposing of both motions when the parties' stipulation of voluntary dismissal shall be filed. Counsel for any party may be given the responsibility of filing the stipulation.


6. The parties anticipate that defendants will either consent to or not object to the motions by plaintiff addressed in this order. Plaintiff's counsel shall provide defendants' counsel a reasonable opportunity to review and comment upon the motions, memoranda, any additional supporting material, and proposed orders before plaintiff's counsel files them in order to facilitate defendants' consent or nonobjection.

7. The court will hold a hearing on the motions for approval of attorneys' fees and approval of the settlement with respect to the minors at issue on 7 July 2022 at 10:00 a.m. in the Sixth Floor Courtroom of the Terry Sanford Federal Building and Courthouse on 310 New Bern Avenue in Raleigh, provided that the court will file a notice cancelling the hearing if after review

of such motions and supporting documents the court finds a hearing is unnecessary. One or more attorneys for plaintiff and one or more attorneys who collectively represent all defendants shall attend the hearing. Attendance may be via the court's videoconferencing system, Cisco Meeting System ("CMS"). Any counsel planning to attend the hearing via CMS shall make arrangements for such attendance, including the conduct of a trial run, with Courtroom Technology Administrator Glenna Falk at 919-272-1379 no later than 2:00 p.m. on 6 July 2022. By the same deadline, counsel shall make arrangements for attendance by CMS of any persons with whom they are associated who plan to attend via CMS.

8. The Clerk shall today serve a copy of this order on Ms. Falk.

This 21st day of June 2022.



James E. Gates
United States Magistrate Judge